

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

MIKE REDFORD, INC., §
§
Plaintiff, §
§
v. § Civil Action No. H-12-648
§
FRED APFFEL, et al., §
§
Defendants. §

ORDER ADOPTING MEMORANDUM AND RECOMMENDATION

Mike Redford ("Mr. Redford") filed this action purporting to represent Plaintiff, Mike Redford, Inc., on February 29, 2012. On September 28, 2012, the court directed Mr. Redford to apply for admission *pro hac vice* within ten days. Mr. Redford failed to comply with this order and, on October 24, 2012, the court set a show cause hearing for November 8, 2012, at which time Plaintiff was directed to show cause why the action should not be dismissed for its failure to be represented by a licensed attorney.

On November 5, 2012, Mr. Redford moved for admission *pro hac vice*, despite his lack of a license to practice law. Plaintiff failed to appear at the November 8, 2012 show cause hearing. Mr. Redford also failed to attend the hearing, despite information left on his telephone by the magistrate judge's case manager that would have allowed him to appear at the hearing by telephone.

On November 8, 2012, the magistrate judge denied Mr. Redford's motion for admission *pro hac vice* and recommended that the action be dismissed for want of prosecution based on Plaintiff's failure

to be represented by a licensed attorney. On November 9, 2012, the court received a motion from Plaintiff seeking a continuance of the hearing.

On November 30, 2012, the court received Plaintiff's objections to the magistrate judge's recommendation of dismissal. In the objections, Plaintiff complained that it did not understand the memorandum because the memorandum used confusing or ambiguous language. Despite the fact that Plaintiff's motion for a continuance was filed after the memorandum was issued, Plaintiff also objected to the memorandum because it failed to address that motion.

Plaintiff has been on notice since October 24, 2012, that it must be represented by a licensed attorney or the action would be dismissed by the court. Plaintiff's motion for continuance (Doc. 28) is, therefore, **DENIED**.

The court has conducted a *de novo* review of the memorandum and recommendation and the objections thereto. The court finds that the recommendation of the magistrate judge is well-taken. It is therefore **ORDERED** that Memorandum, Recommendation and Order of the Magistrate Judge is **ADOPTED**. This action will be dismissed by separate order.

The court may reconsider the dismissal of this action if Plaintiff files, within thirty (30) days from the date this order is entered, a motion to reinstate signed by an attorney licensed to

practice law in the State of Texas. The court will not consider any pleadings filed by Mr. Redford, and no extensions of the time within which to reinstate this action will be granted.

SIGNED this 3rd day of December, 2012.



SIM LAKE
UNITED STATES DISTRICT JUDGE